

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEBORAH VENTO,

CASE NO. CV08-02128 JL

Plaintiff(s),

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS

v.

LIFE INSURANCE COMPANY OF NORTH
AMERICA d.b.a. CIGNA GROUP
INSURANCE; AND DOES 1 THROUGH 100,
Defendant(s).

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

- ☐ Non-binding Arbitration (ADR L.R. 4)
☐ Early Neutral Evaluation (ENE) (ADR L.R. 5)
☒ Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

- ☒ Private ADR (please identify process and provider) Defendant offered to participate in a Court appointed mediation if Plaintiff agrees to pay her half share for a private mediation in the event the Court appointed mediation is unsuccessful. Plaintiff has yet to respond because of present availability. If Plaintiff accepts Defendant's offer, LINA will mediate this case with a court appointed mediator. LINA expects Plaintiff to decide by the Scheduling Conference.

The parties agree to hold the ADR session by:

- ☐ the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*
☒ other requested deadline 120 days from the Scheduling Conference so if a private mediation becomes
necessary, the parties will have time to select a mediator and timely complete a session.

Dated: July 16, 2008

/s/ Timothy J. Fricker
Attorney for Plaintiff

Dated: July 16, 2008

/s/ Michael K. Brisbin
Attorney for Defendant

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

[PROPOSED] ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- ☐ Non-binding Arbitration
- ☐ Early Neutral Evaluation (ENE)
- ☐ Mediation
- ☐ Private ADR

Deadline for ADR session

- ☐ 90 days from the date of this order.
- ☐ other _____

IT IS SO ORDERED.

Dated: _____

HONORABLE JAMES LARSON
UNITED STATES DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

Deborah Vento v. Life Insurance Company of North America, et al.
USDC NDCA Case #CV08-02128 JL

I am a citizen of the United States, I am over the age of eighteen years not a party to the within cause; I am employed in the City and County of San Francisco, California and my business address is 525 Market Street, 17th Floor San Francisco, California 94105.

On this date I served the following document(s):

on the party(ies) identified below, through their attorneys of record, by placing true copies thereof in sealed envelopes addressed as shown below by the following means of service:

XX : **By First Class Mail** -- I caused each such envelope, with first class postage thereon fully prepaid, to be deposited in a recognized place of deposit of the U.S. Mail in San Francisco, California, for collection to the office of the addressee following ordinary business practices.

_____ : **By Personal Service** -- I caused each such envelope to be given to a courier messenger who personally delivered each such envelope to the office of the addressee.

_____ : **By Overnight Courier** -- I caused each such envelope to be given to an overnight mail service at San Francisco, California, to be hand delivered to the office of the addressee on the next business day.

_____ : **Facsimile** -- (Only where permitted. Must consult CCP §1012.5 and California Rules of Court 2001-2011. Also consult FRCP Rule 5(e). Not currently authorized in N.D.CA.)

Timothy J. Fricker, Esq.
James G. Mellen, Esq.
Fricker & Mellen & Associates
Tribune Tower
409 13th Street, 17th Floor
Oakland, CA 94612
Tel: (510) 663-8484
Fax: (510) 663-0639

Attorneys for Plaintiff
DEBORAH VENTO

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

EXECUTED **July 17, 2008**, at San Francisco, California.



Nancy Li